

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC APPLICATION OF)
KENTUCKY POWER COMPANY FOR (1) A)
GENERAL ADJUSTMENT OF ITS RATES)
FOR ELECTRIC SERVICE; (2) AN ORDER)
APPROVING ITS 2017 ENVIRONMENTAL)
COMPLIANCE PLAN; (3) AN ORDER) CASE NO. 2017-00179
APPROVING ITS TARIFFS AND RIDERS;)
(4) AN ORDER APPROVING ACCOUNTING)
PRACTICES TO ESTABLISH REGULATORY)
ASSETS AND LIABILITIES; AND (5) AN)
ORDER GRANTING ALL OTHER REQUIRED)
APPROVALS AND RELIEF)

MOTION TO INTERVENE
OF WAL-MART STORES EAST, LP AND SAM'S EAST, INC.

Pursuant to K.R.S. §278.310 and 807 KAR 5:001 Section 3(8), Wal-Mart Stores East, LP and Sam's East, Inc. (collectively, "Walmart"), by its attorneys, respectfully requests that the Commission permit it to intervene and become a party in the above-captioned matter. In support of its Motion to Intervene, Walmart submits as follows:

1. On April 26, 2017, Kentucky Power Company ("KPCo" or "Company") filed a Notice of Intent to file an application seeking approval for adjustment of its electric rates, approval of its Environmental Compliance Plan, and other requests for relief.

2. On May 22, 2017, KPCo filed with the Commission a Motion for Leave to Deviate from the requirements of 807 KAR 5:001, seeking authorization to file its application for a general rate adjustment no more than 120 days after the end of its proposed test year and up to 63 days after the April 26, 2017, Notice of Intent (i.e., on or before June 28, 2017).

3. Walmart is a national retailer of goods and services throughout the United States.

Walmart's principal office is at 2001 SE 10th Street, Bentonville, AR 72716-0550.

4. Walmart has the privilege of providing its retail services in the Commonwealth of Kentucky. Walmart is a large commercial customer of the Company. Walmart has multiple facilities in Kentucky that are served by the Company. Walmart purchases more than 34 million kWh annually from KPCo, principally pursuant to service under Rate Schedules LGS and QP. Electricity is one of the single highest operating costs faced by Walmart. As a result, any modification to the Company's rates has the potential to substantially impact Walmart's operations in Kentucky. Walmart was also an active party in the Company's last general rate proceeding at Case No. 2014-00396.

5. Accordingly, Walmart has a direct and substantial interest in the outcome of this proceeding. Further, Walmart is unique in that it is a single commercial customer that purchases substantial amounts of electricity and related services from the Company pursuant to multiple accounts at multiple locations, and all of these accounts and locations could be adversely impacted by the Company's proposed rate increase. Thus, Walmart has an interest in this proceeding that is not represented by any other party.

6. The attorneys representing Walmart in this proceeding are:

Don C. A. Parker
Mark E. Heath
Spilman Thomas & Battle, PLLC
300 Kanawha Blvd, East
Charleston, WV 25301
Phone: (304) 340-3800
Fax: (304) 340-3801
E-mail: dparker@spilmanlaw.com
mheath@spilmanlaw.com

Barry A. Naum
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2742
Fax: (717) 795-2743
E-mail: bnaum@spilmanlaw.com

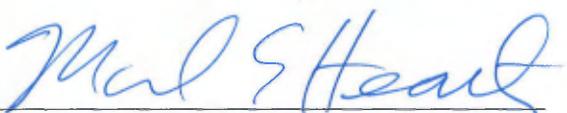
Carrie M. Harris
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 631-1051
Fax: (336) 725-4476
Email: charris@spilmanlaw.com

Mr. Parker and Mr. Heath are authorized to accept service of papers in this proceeding on behalf of Walmart. Walmart also respectfully requests that Mr. Naum and Ms. Harris be added jointly to the service list. Walmart plans to cause to be filed motions for Mr. Naum and/or Ms. Harris to be admitted *pro hac vice* before this Commission, and subsequent to any Commission grant of such requests, Walmart requests that Mr. Naum and Ms. Harris be added to the official service list as attorneys authorized to accept service of papers in this proceeding.

WHEREFORE, Walmart respectfully requests that it be granted leave to intervene and be made a party to the above-captioned proceeding.

Respectfully submitted,

SPILMAN THOMAS & BATTLE, PLLC

By 
Don C. A. Parker (Kentucky I.D. No. 94113)
Mark E. Heath (Kentucky I.D. No. 81783)
Spilman Thomas & Battle, PLLC
300 Kanawha Blvd, East
Charleston, WV 25301
Phone: (304) 340-3800
Fax: (304) 340-3801
E-mail: dparker@spilmanlaw.com
mheath@spilmanlaw.com

Barry A. Naum
Spilman Thomas & Battle, PLLC
1100 Bent Creek Blvd., Suite 101
Mechanicsburg, PA 17050
Phone: (717) 795-2742
Fax: (717) 795-2743
E-mail: bnaum@spilmanlaw.com

Carrie M. Harris
Spilman Thomas & Battle, PLLC
110 Oakwood Drive, Suite 500
Winston-Salem, NC 27103
Phone: (336) 631-1051
Fax: (336) 725-4476
Email: charris@spilmanlaw.com

Counsel to Wal-Mart Stores East, LP and Sam's East, Inc.

Dated: June 12, 2017

CERTIFICATE OF SERVICE

I hereby certify that Walmart's June 12, 2017, electronic filing is a true and accurate copy of the Motion to Intervene to be filed in paper medium; and that on June 12, 2017, the electronic filing has been transmitted to the Commission, and that an original and one copy of the filing will be delivered to the Commission, that no participants have been excused from electronic filing at this time, and served upon the following via Electronic Mail:

Kentucky Power Company
855 Central Avenue, Suite 200
Ashland, KY 41101

Ranie Wohnhas
Managing Director
Kentucky Power Company
855 Central Avenue, Suite 200
Ashland, KY 41101
rkwohnhas@aep.com

Elizabeth Sekula, Esq.
Hector Garcia, Esq.
American Electric Power Service Corp.
1 Riverside Plaza, 29th Floor
P.O. Box 16631
Columbus, OH 43216
easekula@aep.com
hgarcia1@aep.com

Mark R. Overstreet, Esq.
Katie M. Glass, Esq.
Stites & Harbison
421 West Main Street
P.O. Box 634
Frankfort, KY 40602-0634
moverstreet@stites.com
kglass@stites.com

Kenneth J. Gish, Jr., Esq.
Stites & Harbison
250 West Main Street, Suite 2300
Lexington, KY 40507
kgish@stites.com

Rebecca W. Goodman, Esq.
Lawrence W. Cook, Esq.
Kent A. Chandler, Esq.
Office of the Attorney General
1024 Capital Center, Suite 200
Frankfort, KY 40601-8204
rebecca.goodman@ky.gov
larry.cook@ky.gov
kent.chandler@ky.gov

Michael L. Kurtz, Esq.
Kurt J. Boehm, Esq.
Jody Kyler Cohn, Esq.
Boehm, Kurtz & Lowry
36 East Seventh Street, Suite 1510
Cincinnati, Ohio 45202
MKurtz@bkllawfirm.com
kboehm@bkllawfirm.com
jkylercohn@bkllawfirm.com



Mark E. Heath (Kentucky I.D. No. 81783)